

ASSEMBLY BILL

No. 1959

Introduced by Assembly Member Corbett

February 14, 2002

An act to amend Section 11454 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1959, as introduced, Corbett. CalWORKs eligibility: work activities.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families, through a combination of county, state, and TANF block grant funds. Existing law continuously appropriates moneys from the General Fund to pay for a share of county aid grant costs under the CalWORKs program.

Existing law requires certain CalWORKs recipients to participate in welfare-to-work activities, and provides that, with certain exceptions, a parent or caretaker relative may only receive aid under the CalWORKs program for a cumulative period of 18 months after the individual signs, or refuses to sign, without good cause, a welfare-to-work plan.

This bill would, notwithstanding this limitation, provide that a recipient who is continuously enrolled in a training program for registered nurses that has been approved by the Board of Registered

Nursing, shall be eligible to receive aid under this chapter for a cumulative period of up to 48 months.

Because state funds are continuously appropriated to pay for a share of county aid grant costs, the bill would, by expanding eligibility through the addition of work activities that qualify a recipient for the receipt of aid, constitute an appropriation.

Because each county is required to pay for a share of the cost of aid grants and the administration of the CalWORKs program, by expanding eligibility through the addition of work activities that qualify a recipient for the receipt of aid, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11454 of the Welfare and Institutions
2 Code is amended to read:
3 11454. (a) (1) Except as otherwise provided in this chapter
4 and in ~~paragraph~~ *paragraphs* (2) and (6), a parent or caretaker
5 relative shall not be eligible to receive aid for a cumulative period
6 of more than 18 months after the individual signs, or refuses,
7 without good cause, to sign a welfare-to-work plan, unless it is
8 certified by the county that there is no job currently available for
9 the recipient and the recipient participates in community service
10 activities, pursuant to Section 11322.9, or the United States
11 Department of Labor welfare-to-work grant program community
12 service or work experience activities pursuant to Section
13 403(a)(5)(C)(i) of the Social Security Act (42 U.S.C. Sec.



1 603(a)(5)(C)(i)) for sufficient hours to meet the participation
2 requirements of Section 11322.8.

3 (2) A parent or caretaker relative recipient who is subject to the
4 requirements of paragraph (2) of subdivision (c) of Section 10532
5 shall not be eligible to receive aid under this chapter for a
6 cumulative period of more than 24 months, unless it is certified by
7 the county that there is no job currently available for the recipient
8 and the recipient participates in community service activities
9 pursuant to Section 11322.9, or the United States Department of
10 Labor welfare-to-work grant program community service or work
11 experience activities pursuant to Section 403(a)(5)(C)(i) of the
12 Social Security Act (42 U.S.C. Sec. 603(a)(5)(C)(i)) for sufficient
13 hours to meet the participation requirements of Section 11322.8.

14 (3) For purposes of this subdivision, a job shall not be
15 considered to be currently available if a recipient has taken and
16 continues to take all steps to apply for appropriate positions and
17 has not refused an offer of employment without good cause.

18 (4) A parent or caretaker relative recipient to whom paragraph
19 (1) or (2) applies, who is in a job for less than the number of hours
20 required by Section 11322.8, and for whom no job is currently
21 available for the required number of hours, shall remain eligible
22 for aid under this chapter and shall participate in community
23 service activities or the United States Department of Labor
24 welfare-to-work grant program community service or work
25 experience activities pursuant to Section 403(a)(5)(C)(i) of the
26 Social Security Act (42 U.S.C. Sec. 603(a)(5)(C)(i)) for the
27 additional number of hours necessary to meet the requirements of
28 Section 11322.8.

29 (b) A parent or caretaker relative shall not be eligible for aid
30 under this chapter when he or she has received aid under this
31 chapter or from any state under the Temporary Assistance for
32 Needy Families program (Part A (commencing with Section 401)
33 of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601
34 et seq.) for a cumulative total of 60 months.

35 (c) No month in which aid has been received prior to January
36 1, 1998, shall be taken into consideration in computing the
37 18-month, 24-month, or 60-month limitation provided for in
38 subdivision (a) or (b).

39 (d) Each county shall adopt criteria for extending the 18-month
40 limitation prescribed by subdivision (a) for up to six months if the

1 extension is likely to result in unsubsidized employment or if local
2 unemployment rates or other conditions in the local economy are
3 such that employment is not available.

4 (e) Subdivision (b) shall not be applicable when all parent or
5 caretaker relatives of the aided child who are living in the home of
6 the child meet any of the following requirements:

7 (1) They are 60 years of age or older.

8 (2) They meet one of the conditions specified in paragraph (4)
9 or (5) of subdivision (b) of Section 11320.3.

10 (3) They are not included in the assistance unit.

11 (4) They are receiving benefits under Section 12200 or Section
12 12300, State Disability Insurance benefits or Workers'
13 Compensation Temporary Disability Insurance, if the disability
14 significantly impairs the recipient's ability to be regularly
15 employed or participate in welfare-to-work activities.

16 (5) They are incapable of maintaining employment or
17 participating in welfare-to-work activities, as determined by the
18 county, based on the assessment of the individual and the
19 individual has a history of participation and full cooperation in
20 welfare-to-work activities.

21 (6) *A recipient who is continuously enrolled in a training*
22 *program for registered nurses that has been approved by the Board*
23 *of Registered Nursing shall be eligible to receive aid under this*
24 *chapter for a cumulative period of up to 48 months.*

25 SEC. 2. Notwithstanding Section 17610 of the Government
26 Code, if the Commission on State Mandates determines that this
27 act contains costs mandated by the state, reimbursement to local
28 agencies and school districts for those costs shall be made pursuant
29 to Part 7 (commencing with Section 17500) of Division 4 of Title
30 2 of the Government Code. If the statewide cost of the claim for
31 reimbursement does not exceed one million dollars (\$1,000,000),
32 reimbursement shall be made from the State Mandates Claims
33 Fund.